

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN MILES SULLIVAN,

Defendant.

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4:11CR3034

MEMORANDUM AND ORDER

The government has moved to continue the trial currently set for September 19, 2011. (Filing No. 41.) As explained in the motion, essential government witnesses are not available for trial during the week of September 19, 2011, the parties are engaged in serious plea negotiations at this time, and those discussions will not be complete before the scheduled trial date. The defendant does not oppose the requested continuance. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 41), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on November 21, 2011, or as soon thereafter as the case may be called, for a duration of two (2) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based upon the showing set forth in the government's motion and the representations of its counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and November 21, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(3)(a) and (h)(7)(A).

DATED this 13th day of September, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge